



## **ORDINANCE NO. 3332**

**AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, BY GRANTING A SPECIFIC USE PERMIT FOR AN ACCESSORY BUILDING COVERING A LOT AREA GREATER THAN 120 SQUARE FEET ON A 0.655 ACRE TRACT OF LAND OUT OF THE H.C. MARSH SURVEY, ABST. NO. 915, IN THE CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS (COMMONLY KNOWN AS 3243 BRINCREST DRIVE) LOCATED WITHIN A SINGLE FAMILY RESIDENTIAL 3 (R-3) ZONING DISTRICT; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SPECIAL DEVELOPMENT REGULATIONS; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the laws of the State of Texas and the ordinances of the City of Farmers Branch, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, the governing body, in the exercise of the legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Zoning Map should be amended;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THAT:**

**SECTION 1.** The Comprehensive Zoning Ordinance of the City of Farmers Branch, be and the same is hereby amended by amending the zoning map of the City of Farmers Branch so as to grant a Specific Use Permit for an accessory building covering a lot area greater than 120 square feet within a Single Family Residential 3 ("R-3") zoning district on a 0.655 acre tract out of the H.C. Marsh Survey, Abstract No. 915 in the City of Farmers Branch, Dallas County, Texas (commonly known as 3243 Brincrest Drive) described more particularly in a general warranty deed recorded February 9, 1993, in Volume 93026, Page 4047, Official Public Records, Dallas County, Texas ("the Property")

**SECTION 2.** The accessory building to be located on the Property pursuant to this Ordinance shall conform in height, operation, location and construction to the development standards specified within the R-3 zoning district, Article 15 of the Comprehensive Zoning Ordinance, as amended, except as follows:

- A. The floor area of the accessory building may cover an area of the Property up to be not exceeding 660 square feet.



- B. The accessory building shall be located as shown on the Site Plan attached hereto as Exhibit "A" and incorporated herein by reference.
- C. The layout of the floor plan of the accessory building shall be substantially as shown on the Floor attached hereto as Exhibit "B" and incorporated herein by reference.
- D. The total height, exterior building materials, and design of the accessory building shall conform to the Elevation attached hereto as Exhibit "C" and incorporated herein by reference.
- E. The Specific Use Permit granted by this ordinance does not include a grant to use the accessory building for guest and/or servant quarters.

**SECTION 3.** In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Farmers Branch and the provisions of this Ordinance as applicable to the use and development of the Property, the provisions of this Ordinance shall be controlling.

**SECTION 4.** An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

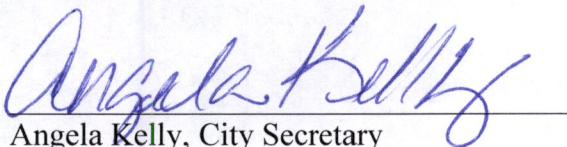
**SECTION 5.** If any section, paragraph, subdivision, clause, phrase, or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

**SECTION 6.** Any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense.

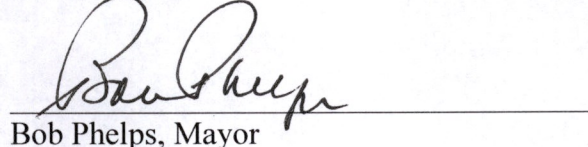
**SECTION 7.** This ordinance shall take effect immediately from and after its passage and the publication of the caption of said Ordinance as the law and the City Charter in such cases provides.

**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, ON THIS, THE 4<sup>th</sup> DAY OF AUGUST, 2015.**

ATTEST:

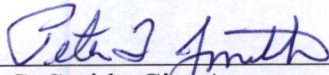
  
Angela Kelly, City Secretary

APPROVED:

  
Bob Phelps, Mayor

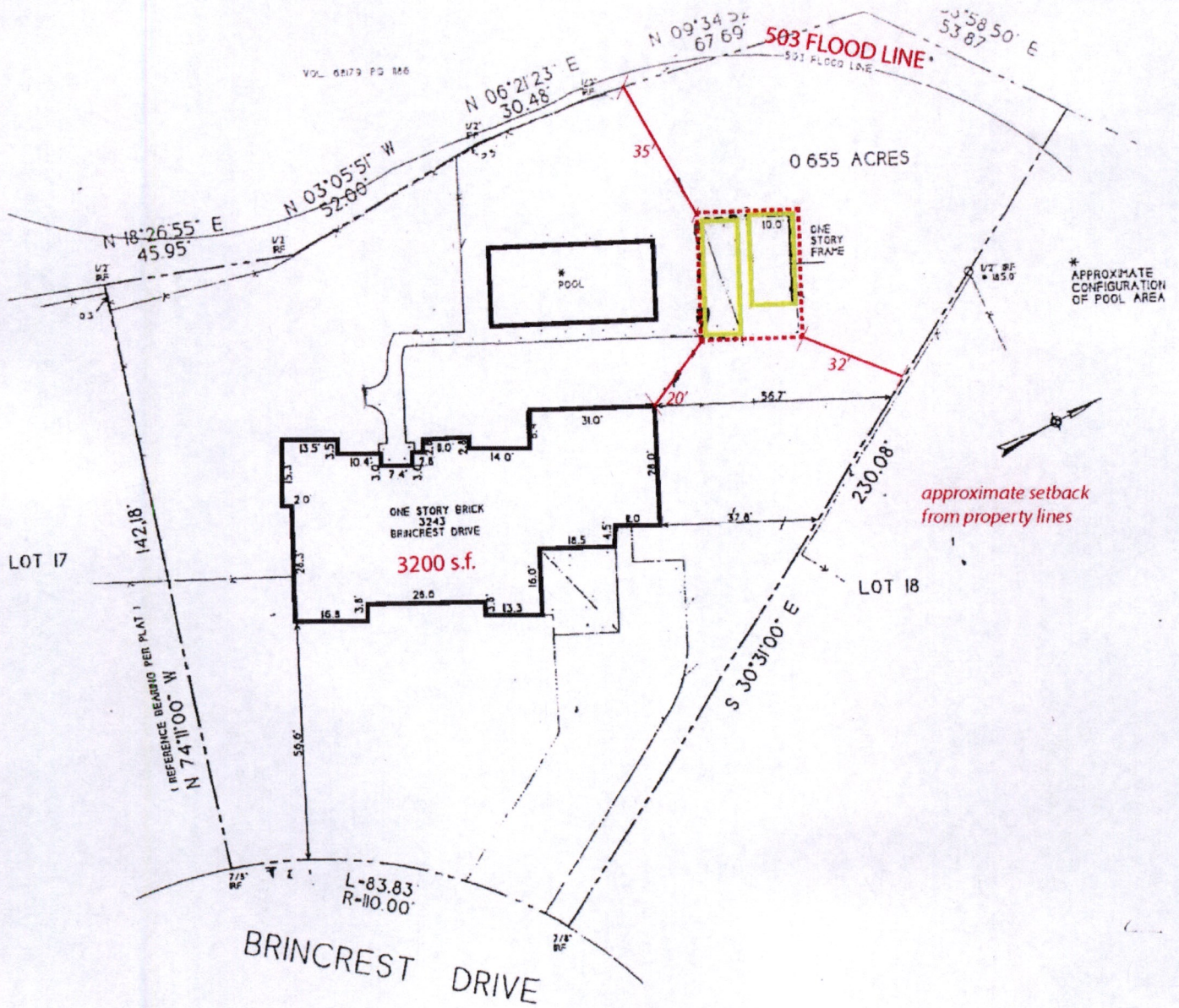


APPROVED AS TO FORM:

  
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Peter G. Smith, City Attorney  
(kbl:7/23/15:72637)

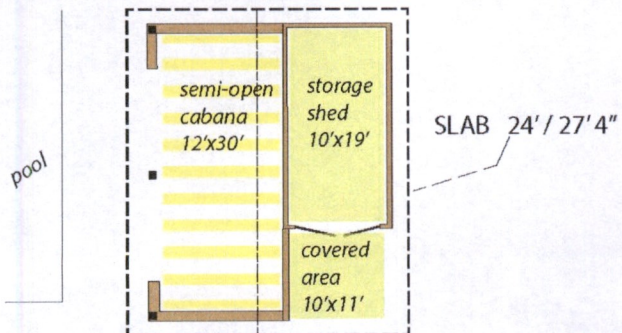
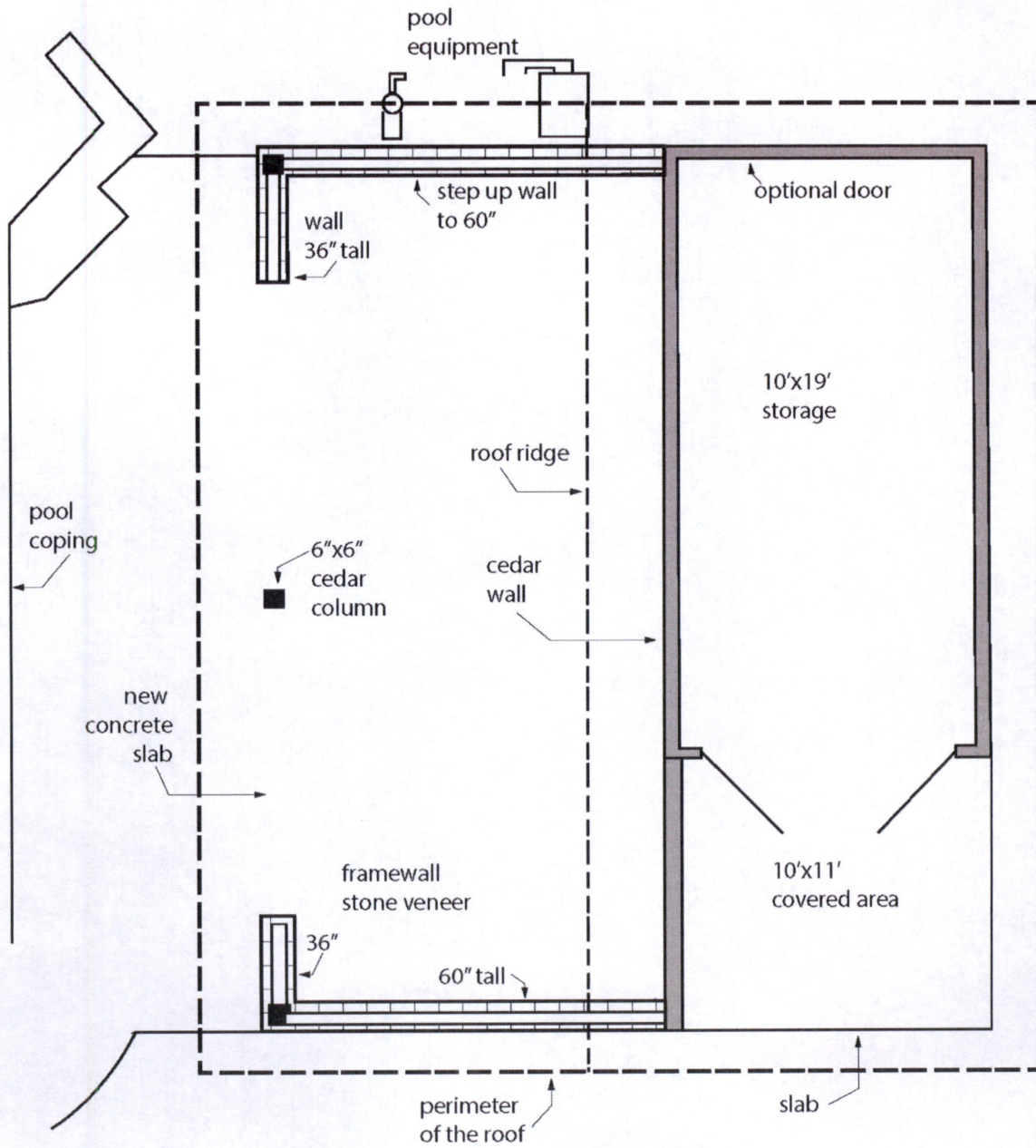


Ordinance No. 3332  
Exhibit "A"- Site Plan





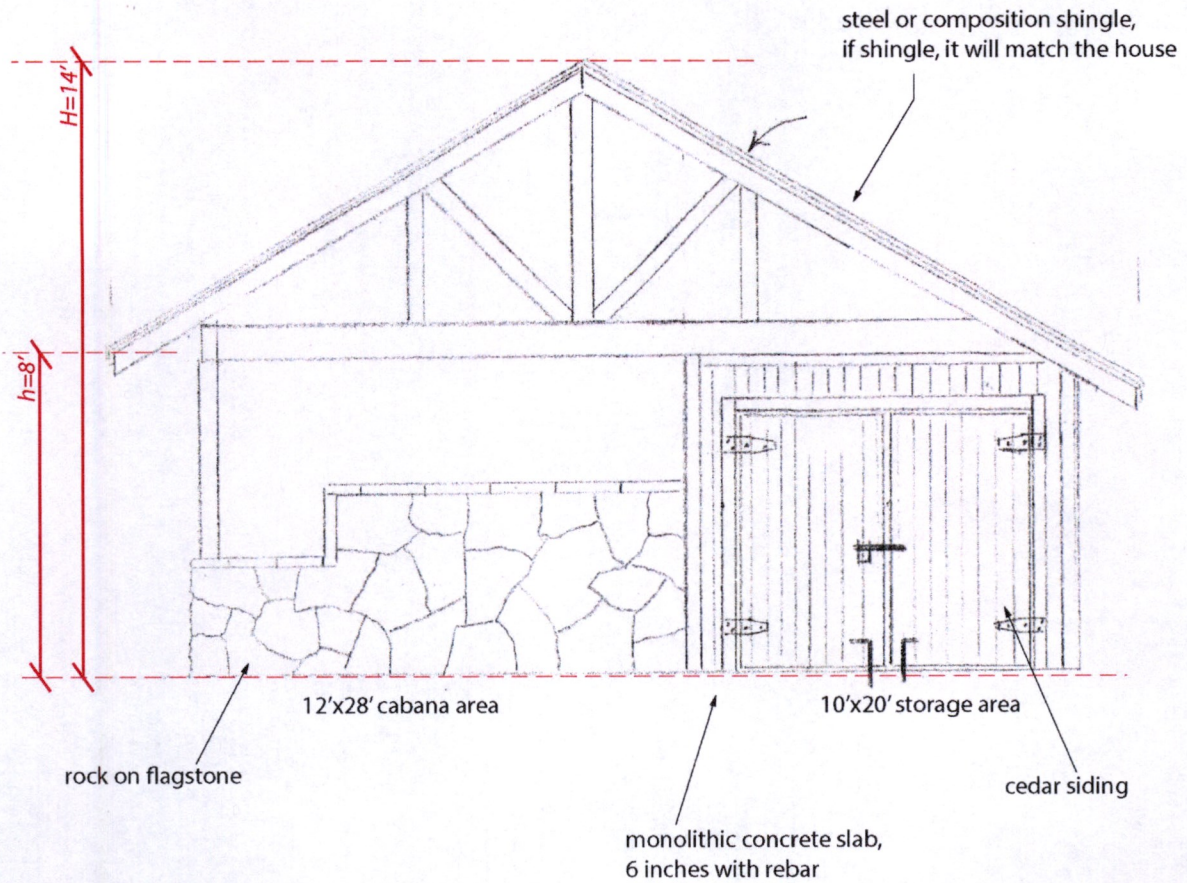
Ordinance No. 3332  
Exhibit "B"- FLOOR PLAN





Ordinance No. 3332  
Exhibit "C"- ELEVATION

SIDE ELEVATION FROM EAST



new cabana and shed will have electricity and gas but no water and sewer connections